

10/577428

AP20 Rec'd PCT/PTO 27 APR 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94528

Patrice RICHARD, et al

Appln. No.: National Stage of PCT/FR2004/050536

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: April 27, 2006

Examiner: Unknown

For: A BONE-MARROW EXTRACTION AND/OR INJECTION DEVICE AND A SYSTEM
INCLUDING SUCH A DEVICE

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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INFORMATION DISCLOSURE STATEMENT
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Attorney Docket No. Q94528

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/FR2004/050536 dated October 11, 2005), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 27, 2006

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE</u> <u>STATEMENT BY APPLICANT</u> <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	National Stage of 428 PCT/ER2004/050536
				Confirmation Number	Unknown
				Filing Date	April 27, 2006
				First Named Inventor	Patrice RICHARD
				Art Unit	Unknown
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	Q94528

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,478,328	A	12/26/1995	DAVID G. SILVERMAN, ET AL
		US 4,641,663	A	02/10/1987	STEVEN K. JUHN
		US 4,256,119	A	03/17/1981	THOMAS E. GAUTHIER
		US 4,922,602	A	05/08/1990	DONALD N. MEHL
		US 2003/0176811	A1	09/18/2003	IRA L. SHAPIRA
		US 5,330,443	A	07/19/1994	TREVOR J. POWLES, ET AL
		US 5,597,536	A	01/28/1997	BRUNO FRANZ P. MAYER
		US 5,322,511	A	06/21/1994	RANDY E. ARMBRUSTER, ET AL
		US 2003/0120291	A1	06/26/2003	ALBERT K. CHIN, ET AL

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ <i>(if known)</i>			
		FR	2 170 919	A	09/21/1973	VINNITSKY MED IN	
		WO	03/101306	A1	12/11/2003	VIDACARE CORPORATION	
		WO	2005/004700	A2	01/20/2005	DEPUY SPINE, INC.	
		GB	2 130 890	A	06/13/1984	* DOWNS SURGICAL PLC	
		GB	1 593 101	A	07/15/1981	HART ASSOCIATES INC	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.